

AMENDED IN SENATE AUGUST 6, 2012

AMENDED IN ASSEMBLY MAY 2, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 1922**

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**Introduced by Assembly Member Lara**

February 22, 2012

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An act to amend Section 43701 of the Health and Safety Code, relating to vehicular air pollution.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1922, as amended, Lara. Heavy-duty vehicles: smoke emissions.

Existing law requires the State Air Resources Board to adopt regulations requiring owners or operators of heavy-duty diesel motor vehicles to perform regular inspections of their vehicles for excessive emissions of smoke. Existing regulations require the owner of a heavy-duty ~~diesel-powered~~ *diesel-fueled* vehicle to test the vehicle for excessive smoke emissions periodically, as specified, and requires the vehicle to be periodically tested for smoke opacity and repaired if the applicable smoke opacity standard is exceeded within 12 months of the previous test, as prescribed.

This bill would require, on or before December 31 of each year, a fleet, *as defined*, to ~~complete its required smoke opacity inspections and any necessary repairs~~ *comply with the regulations and standards* for that calendar year.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 43701 of the Health and Safety Code is amended to read:

43701. (a) (1) Not later than July 15, 1992, the state board, in consultation with the bureau and the review committee established pursuant to subdivision (a) of Section 44021, shall, after a public hearing, adopt regulations that require that owners or operators of heavy-duty diesel motor vehicles perform regular inspections of their vehicles for excessive emissions of smoke. The inspection procedure, the frequency of inspections, the emission standards for smoke, and the actions the vehicle owner or operator is required to take to remedy excessive smoke emissions shall be specified by the state board. Those standards shall be developed in consultation with interested parties. The smoke standards adopted under this subdivision shall not be more stringent than those adopted under Chapter 5 (commencing with Section 44000).

(2) (A) On or before December 31 of each year, a fleet shall ~~complete its required smoke opacity inspections and any necessary repairs~~ *comply with the regulations and standards* for that calendar year.

(B) *For purposes of this paragraph, "fleet" means any group of two or more heavy-duty diesel-fueled vehicles that are owned or operated by the same person.*

(b) Not later than December 15, 1993, the state board shall, in consultation with the State Energy Resources Conservation and Development Commission, and after a public hearing, adopt regulations that require that heavy-duty diesel motor vehicles subject to subdivision (a) utilize emission control equipment and alternative fuels. The state board shall consider, but not be limited to, the use of cleaner burning diesel fuel, or other methods that will reduce gaseous and smoke emissions to the greatest extent feasible, taking into consideration the cost of compliance. The regulations shall provide that any significant modification of the engine necessary to meet these requirements shall be made during a regularly scheduled major maintenance or overhaul of the vehicle's engine. If the state board requires the use of alternative fuels, it shall do so only to the extent those fuels are available.

1 (c) The state board shall adopt emissions standards and  
2 procedures for the qualification of any equipment used to meet the  
3 requirements of subdivision (b), and only qualified equipment  
4 shall be used.

5 (d) To the extent permissible under federal law, commencing  
6 January 1, 2006, the owner or operator of any commercial motor  
7 truck, as defined in Section 410 of the Vehicle Code, with a ~~GVWR~~  
8 *gross vehicle weight rating (GVWR)* greater than 10,000 pounds  
9 that enters the state for the purposes of operating in the state shall  
10 maintain, and provide upon demand to enforcement authorities,  
11 evidence demonstrating that its engine met the federal emission  
12 standards applicable to commercial heavy-duty engines for that  
13 engine's model-year at the time it was manufactured, pursuant to  
14 the protocol and regulations developed and implemented pursuant  
15 to subdivision (e).

16 (e) The state board, not later than January 1, 2006, in  
17 consultation with the *Department of the* California Highway Patrol,  
18 shall develop, adopt, and implement regulations establishing an  
19 inspection protocol for determining whether the engine of a truck  
20 subject to the requirements of subdivision (d) met the federal  
21 emission standard applicable to heavy-duty engines for that  
22 engine's model-year at the time it was manufactured.